

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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INSTEAD SCIENCES, INC., a California :
corporation, : 08 CIV. 5236 (DLC)
Plaintiff, :
-v- :
REPROTECT, INC., a Maryland :
corporation, ULTRAFEM INC., a Delaware :
corporation, DR. RICHARD CONE, and DR. :
THOMAS MOENCH, :
Defendants. :
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PRETRIAL
SCHEDULING ORDER

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 8 | 11 | 08

DENISE COTE, District Judge:

As set forth at the pretrial conference held pursuant to Rule 16, Fed.R.Civ.P., on August 8, 2008, it is hereby

ORDERED that defendants' July 31, 2008 motion to dismiss is denied without prejudice. The Clerk's Office shall terminate the motion (document #14).

IT IS FURTHER ORDERED that plaintiff shall amend its complaint by **August 22, 2008**.

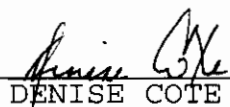
IT IS FURTHER ORDERED that the following motion will be served by the dates indicated below.

Any motion to dismiss

- Motion served by **September 19, 2008**
- Opposition served by **October 10, 2008**
- Reply served by **October 17, 2008**

At the time any Reply is served the moving party shall supply two courtesy copies of all motion papers to Chambers by delivering them to the Courthouse Mailroom, 8th Floor, United States Courthouse, 500 Pearl Street, New York, New York.

Dated: New York, New York
August 11, 2008



DENISE COTE
United States District Judge